

## Migration Law (B001702)

**Course size** *(nominal values; actual values may depend on programme)*

**Credits 6.0** **Study time 180 h**

**Course offerings and teaching methods in academic year 2024-2025**

A (semester 1)	Dutch	Gent	excursion lecture seminar
M (semester 1)	Dutch	Gent	lecture seminar excursion

**Lecturers in academic year 2024-2025**

Desmet, Ellen RE22 lecturer-in-charge

**Offered in the following programmes in 2024-2025**

	crdts	offering
Master of Science in Teaching in Social Sciences(main subject Laws)	6	A
Master of Laws in Laws	6	A
Micro-credential Migration Law	6	M

**Teaching languages**

Dutch

**Keywords**

Migration; nationality and statelessness; access to the territory; residence rights; international protection (refugee status / subsidiary protection status); national protection statuses; family reunification; detention; return

**Position of the course**

Migration is a multidimensional and complex phenomenon of all times, which in recent years is increasingly dominating societal and legal debates. Migration law regulates the movement of persons across national borders, as well as the legal status of migrants within the host country.

This course aims to provide students with a thorough understanding of national migration law, paying particular attention to the influence of European and international law, human rights implications, as well as practical relevance. In addition, it aims to enhance students' critical reflection about the role of migration law in society, among others through the discussion of topical issues in class.

**Contents**

This course examines the sources, structure and rules of Belgian migration law, with particular attention for the influence of European and international law. An introductory part deals with various key concepts within migration law, situates migration law both historically and societally, and discusses the institutional framework.

Thereinafter, the following themes are addressed:

- Nationality and statelessness
- Access to the territory (visa provisions and border controls)
- Residence rights, both in general and as regards categories of persons for whom particular rules apply (EU citizens; labour migrants; students; family reunification; international protection (refugee status and subsidiary protection status); humanitarian regularisation; medical regularisation etc.)

- Expulsion and security measures (detention)

- Remedies

Transversally, attention is paid to the rights of persons who find themselves in a vulnerable situation and to the protection of fundamental rights in general.

#### **Initial competences**

- Bachelor in Law.
- Administrative Law; European Law; Human Rights; International Public Law
- Passive knowledge of English and French

#### **Final competences**

- 1 Understanding thoroughly the sources and rules of migration law at the national, European and international level
- 2 To analyse a case in the field of migration law in an independent, grounded and context sensitive manner
- 3 Ability to reflect in a thorough and critical way about the challenges and fields of tension within migration law
- 4 Paying attention to topical evolutions within migration law
- 5 Having a diversity sensitive attitude in scientific research and legal work

#### **Conditions for credit contract**

Access to this course unit via a credit contract is unrestricted: the student takes into consideration the conditions mentioned in 'Starting Competences'

#### **Conditions for exam contract**

Access to this course unit via an exam contract is unrestricted

#### **Teaching methods**

Seminar, Excursion, Lecture

#### **Extra information on the teaching methods**

Some parts of the lectures are given by experts in the field.

Excursion: visit to relevant institutions/actors within Belgian migration law, e.g.

Council for Alien Law Litigation, closed centre...

*The lifelong learner enrolled in this micro-credential has the ability to take the lectures on campus or online. Regular students cannot enroll in the micro-credential and must follow the regular course.*

#### **Study material**

Type: Handbook

Name: Sourcebook Migration Law

Indicative price: € 59

Optional: no

Language : Dutch

Author : Dirk Vanheule, Ellen Desmet, Steven Bouckaert

Number of Pages : 900

Oldest Usable Edition : 2024-25

Online Available : No

Available in the Library : Yes

Available through Student Association : Yes

Usability and Lifetime within the Course Unit : intensive

Usability and Lifetime within the Study Programme : one-time

Usability and Lifetime after the Study Programme : occasionally

Type: Slides

Name: Slides migration law

Indicative price: Free or paid by faculty

Optional: no

Language : Dutch

Available on Ufora : Yes

Online Available : No

Available in the Library : No

Available through Student Association : No

**Type: Reader**

Name: Reader Migration Law  
Indicative price: Free or paid by faculty  
Optional: no  
Language : Dutch  
Available on Ufora : Yes  
Online Available : No  
Available in the Library : No  
Available through Student Association : No

**Type: Excursion**

Name: Visit actors/institutions migration law  
Indicative price: € 21  
Optional: no  
Additional information: train ticket

**References**

- Azoulai, L., & de Vries, K. (Eds.). (2014). *EU Migration Law. Legal Complexities and Political Rationales*. Oxford: Oxford University Press.
- Bouckaert, S., Baeyens, P., & Vanderschueren, N. (2016). *Handboek Verblijfsrecht*. Mechelen: Wolters Kluwer.
- Boeles, P., den Heijer, M., Lodder, G., & Wouters, K. (2014). *European Migration Law*. Cambridge - Antwerp - Portland: Intersentia.
- Carlier, J.-Y., & Saroléa, S. (2016). *Droit des Étrangers*. Bruxelles: Larcier.
- Chetail, V., & Bauloz, C. (Eds.). (2014). *Research Handbook on International Law and Migration*. Cheltenham, UK; Northampton, USA: Edward Elgar Publishing.
- Dembour, M.-B. (2015). *When Humans become Migrants. Study of the European Court of Human Rights with an Inter-American Counterpoint*. Oxford: Oxford University Press.
- Denys, L. (2019). *Overzicht van het Vreemdelingenrecht*. Heule: INNI publishers.
- Desmet, E. (2024). *Migratierecht. Tussen mens en staat*. 2de editie. Academia Press.
- Foblets, M.-C., Hubeau, B., Vanheule, D., & Verschueren, H. (Eds.). (1995-...). *Migratie- en Migrantenrecht: recente ontwikkelingen*. Brugge: Die Keure.
- Hathaway, J. C., & Foster, M. (2014). *The Law of Refugee Status*. Cambridge: Cambridge University Press.
- Peers, S. (2016). *EU Justice and Home Affairs Law. EU Immigration and Asylum Law*. Oxford: Oxford University Press.
- *Tijdschrift voor Vreemdelingenrecht*. Brugge: Die Keure.
- *Revue du droit des étrangers*. Brussel: L'Association pour le droit des étrangers.

**Course content-related study coaching**

- Questions can be asked before or after each class, by e-mail (ellen.desmet@ugent.be) or upon appointment.
- From a week before the exam period until after the exam, no content-related questions will be answered ('faculty curfew')

**Assessment moments**

end-of-term assessment

**Examination methods in case of periodic assessment during the first examination period**

Written assessment with open-ended questions

**Examination methods in case of periodic assessment during the second examination period**

Written assessment with open-ended questions

**Examination methods in case of permanent assessment****Possibilities of retake in case of permanent assessment**

not applicable

**Extra information on the examination methods**

Written exam with open questions (reflective questions and cases).  
*The lifelong learner enrolled in this micro-credential takes the exam along with the regular students.*

**Calculation of the examination mark**

**Facilities for Working Students**

no